

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/22/01

A Bill

Act 1517 of 2001
HOUSE BILL 2446

5 By: Representative Goss
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE CHILD AND ADOLESCENT SERVICE
10 SYSTEM PROGRAM; AND FOR OTHER PURPOSES.

Subtitle

13 AN ACT TO AMEND THE CHILD AND ADOLESCENT
14 SERVICE SYSTEM PROGRAM.
15
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

19 SECTION 1. Arkansas Code 20-47-501 is amended to read as follows:
20 20-47-501. Purpose.

21 The General Assembly of the State of Arkansas finds that services to
22 children are provided by various departments and agencies at both the state
23 and local level, often without appropriate collaboration. The General
24 Assembly declares that the purpose of this subchapter is to establish a
25 structure for coordinated policy development, comprehensive planning, ~~and~~
26 collaborative budgeting, and resource allocation for services to children
27 with emotional disturbance and their families. It is further the intention
28 of this subchapter to build on existing resources and to design and implement
29 a coordinated service system for children with emotional disturbances which
30 is child- and family-centered and community-based.
31

32 SECTION 2. Arkansas Code 20-47-502 is amended to read as follows:
33 20-47-502. Definitions.

34 As used in this subchapter, unless the content otherwise requires:

35 (1) "Case management" means those efforts which assure that necessary
36 services for the child and family are obtained and monitored. Such efforts

1 shall include coordination across agencies for evaluations, the provision of
 2 services based on ~~integrated~~ assessments and evaluations that result in the
 3 development of an interagency service plan, the review for adequacy of
 4 services through client progress, and maintaining cooperation among agencies;

5 (2) "Case review" means a multiagency effort to design and provide a
 6 service delivery plan for difficult-to-serve children who may require unusual
 7 services or service configurations. When utilizing a group process for
 8 reaching service delivery decisions, the group shall be composed of those who
 9 carry sufficient authority to assure timely provision of services;

10 (3) "CASSP" means the Child and Adolescent Service System Program;

11 (4) "Child with emotional disturbance" means an individual under the
 12 age of eighteen (18), or under the age of twenty-one (21) if CASSP services
 13 began prior to the age of eighteen (18), who is exhibiting inappropriate
 14 emotional, interpersonal, or behavioral problems within the home, preschool
 15 program, school, or community given his age, intellectual level, and cultural
 16 background, whose degree of dysfunction is at least disruptive and often
 17 disabling, and whose problems persist after efforts to deal with the problems
 18 have been made by significant others in the child's social environment and
 19 who meets specific criteria established by the CASSP Coordinating Council;

20 ~~(5) "Collaborative budget agreement" means a written agreement among~~
 21 ~~the members of the Department of Education, Department of Health, and~~
 22 ~~Department of Human Services to allocate resources for programs and services~~
 23 ~~in the statewide plan. The collaborative budget agreement shall identify the~~
 24 ~~proportion of each agency budget request that will be allocated to implement~~
 25 ~~the system of care;~~

26 ~~(7)~~(5) "Collaborative evaluation" means an intensive appraisal of a
 27 child which provides more of an in-depth analysis than ~~an integrated a~~
 28 screening and assessment. Such evaluation shall be designed, obtained, and
 29 utilized collaboratively by those agencies identifying a need for the
 30 information;

31 ~~(7)~~(6) "Flexible funds" means a specific fiscal allocation designated
 32 for atypical expenditures to meet extraordinary needs of a child and family
 33 identified in the service plan. Decisions for expenditure of flexible funds
 34 shall be made at the regional or local level and must be approved by all
 35 involved service providers;

36 ~~(8)~~(7) "Integrated screening and assessment" means an initial

1 ~~appraisal of a child identified or suspected of having emotional disturbance~~
 2 ~~which provides sufficient information to make decisions about service needs.~~
 3 ~~The assessment shall be conducted in collaboration with all agencies~~
 4 ~~providing services, and shall result in a common data base which meets the~~
 5 ~~generic data needs of each agency;~~ "Interagency Service Plan" means the
 6 integrated plan of care which is individualized for each child or adolescent
 7 receiving CASSP services, and is developed through the collaboration of all
 8 agencies providing services for that child;

9 ~~(9)~~(8) "Regional plan" means a written strategy developed by regional
 10 CASSP teams which specifies the kind, mix, and priority of services to be
 11 provided in each community mental health center catchment area. The regional
 12 plan shall address all components of the system of care, shall be based on
 13 the principles for the system of care provided herein and on the service
 14 needs of the children with emotional disturbance in the region, shall include
 15 procedures for evaluating services provided to children with emotional
 16 disturbance and their families, and shall be reviewed annually by the CASSP
 17 Coordinating Council and, upon approval, shall be incorporated into the
 18 statewide plan;

19 (9) "Screening and assessment" means an initial appraisal of a child
 20 identified or suspected of having emotional disturbance which provides
 21 sufficient information to make decisions about service needs;

22 (10) "Service array" means those services in the system of care that
 23 address the varying areas of needs of children with emotional disturbance and
 24 their families, and shall include, but not be limited to: mental health
 25 services; substance abuse services; social services; education services;
 26 health services; vocational services; recreational services; operational
 27 services; case management, advocacy and other necessary services;

28 (11) "Single point of entry" means a unit, agency, or group designated
 29 as the gatekeeper for the service system for children with emotional
 30 disturbance and their families;

31 (12) "Statewide plan" means a comprehensive strategy that identifies
 32 the procedures for developing and implementing the system of care which is
 33 prepared by the CASSP Coordinating Council incorporating all regional plans;
 34 and

35 (13) "System of care" means a comprehensive spectrum of mental health
 36 and other necessary services organized into a coordinated network to meet the

1 multiple and changing needs of children with emotional disturbance, based on
2 principles set forth in this subchapter.

3

4 SECTION 3. Arkansas Code 20-47-504 is amended to read as follows:

5 20-47-504. Components of the system.

6 The components of the system of care shall include, but not be limited
7 to:

- 8 (1) Single point of entry;
- 9 (2) ~~Integrated screening~~ Screening and assessment;
- 10 (3) Case management;
- 11 (4) Case review;
- 12 (5) Collaborative evaluation; and
- 13 (6) Service array.

14

15 SECTION 4. Arkansas Code 20-47-505 is amended to read as follows:

16 20-47-505. CASSP Coordinating Council.

17 (a)(1) There is hereby created a Child and Adolescent Service System
18 Program Coordinating Council which shall meet on a quarterly basis and at
19 other times deemed necessary to perform its functions.

20 (2) ~~The council~~ coordinating council shall include the following
21 persons to be selected and appointed by the directors of the Department of
22 Education, Department of Health, and Department of Human Services:

23 (A) At least three (3) parents, parent surrogates, or
24 family members of a child or children with emotional disturbance;

25 (B) A member of an ethnic minority;

26 (C) A child advocate;

27 (D) ~~A representative~~ CASSP Coordinators from each of the
28 certified community mental health ~~center~~ centers;

29 (E)(i) ~~Representatives~~ One or more representatives from
30 ~~each of the following, specific divisions or agencies in~~ to be appointed by
31 ~~the Director of the Department of Human Services, by the Director of the~~
32 ~~Department of Health, or by the Director of~~ and the Department of Workforce
33 ~~Education, whichever is appropriate.~~

34 (ii) Each representative shall have official duties
35 related to the delivery of mental health services for children and
36 adolescents with emotional disturbances.

1 (iii) Specific designations of membership of the
 2 coordinating council shall be determined through interdepartmental and
 3 intradepartmental agreements which will be renewed on an annual basis; and

4 ~~(i) The Bureau of Alcohol and Drug Abuse Prevention;~~
 5 ~~(ii) The Division of Youth Services;~~
 6 ~~(iii) The Division of Developmental Disabilities~~
 7 ~~Services;~~

8 ~~(iv) The Division of Medical Services;~~
 9 ~~(v) The Division of Mental Health Services;~~
 10 ~~(vi) The Division of County Operations; and~~
 11 ~~(vii) The Arkansas Rehabilitation Services;~~

12 ~~(F) A representative from the Department of Education;~~
 13 ~~(G) A representative from a local school district;~~
 14 ~~(H) A representative from the juvenile justice system;~~
 15 ~~(I) A representative from a local or regional~~
 16 ~~rehabilitation services office;~~

17 ~~(J) A representative from the Department of Health~~
 18 ~~appointed by the director;~~

19 ~~(K) A representative from a local or regional health~~
 20 ~~department;~~

21 ~~(L) A representative from a local or regional provider of~~
 22 ~~developmental disabilities services;~~

23 ~~(M) A representative of a local substance abuse treatment~~
 24 ~~program for adolescents;~~

25 ~~(N) A member of the Senate who serves on the Senate~~
 26 ~~Interim Committee on Children and Youth; and~~

27 ~~(O) A representative from a local or regional community~~
 28 ~~action agency.~~

29 (F)(i) At least two (2) representatives from agencies or
 30 organizations either private or public that are stakeholders in mental health
 31 services for children and adolescents with emotional disturbances.

32 (ii) The Directors of the Department of Human
 33 Services, the Department of Health, and the Department of Education will
 34 jointly appoint an appropriate number of stakeholders.

35 (b) The council shall:

36 (1) Advise and report to the directors of the Department of

1 Education, Department of Health, and Department of Human Services on matters
2 of policy and programs related to children with emotional disturbance and
3 their families;

4 (2) Identify and recommend fiscal, policy, training, and program
5 initiatives and revisions based on needs identified in the planning process;

6 (3) Provide specific guidelines for the development of regional
7 services and plans based on the guiding principles of the system of care;

8 (4) Review and approve regional plans developed by regional
9 program teams and incorporate the regional plans into the statewide plan;

10 (5) Assure that mechanisms for accountability are developed and
11 ~~incorporated into the regional plans implemented;~~

12 (6) Submit a statewide plan and budget recommendations to the
13 directors of the Department of Education, Department of Health, and
14 Department of Human Services on or before March 15 of each even-numbered year
15 thereafter preceding the legislative session;

16 (7) Develop and recommend special projects to the directors; ~~and~~

17 (8) Provide a written report on a quarterly basis to the Senate
18 Interim Committee on Children and Youth that summarizes progress implementing
19 this subchapter;

20 (9) Establish guidelines and procedures for the voting
21 membership, officers, and annual planning of both the coordinating council
22 and the regional CASSP planning teams which the coordinating council will
23 review and update on an annual basis; and

24 (10) Make recommendations for corrective action plans to the
25 Directors of the Department of Human Services, the Department of Education,
26 and the Department of Health in the event that a regional CASSP planning team
27 does not produce a timely regional plan that meets a plan of care or fails to
28 implement the approved regional plan.

29
30 SECTION 5. Arkansas Code 20-47-506 is amended to read as follows:

31 20-47-506. Regional CASSP planning teams.

32 (a) A regional CASSP planning team shall be established in each
33 community mental health center catchment area.

34 (b)(1) ~~At least fifty one percent (51%) of each~~ Each team membership
35 shall ~~consist of~~ include individuals who are not state employees ~~or~~ and who
36 are not providers of services to children with emotional disturbance or their

1 families but who are parents, parent surrogates, family members, or
2 consumers.

3 (2) Every effort shall be made to encourage and assist parents,
4 parent surrogates, family members, consumers, and advocates to participate in
5 CAASP planning teams.

6 (c) The regional CASSP planning teams shall ~~have at a minimum regional~~
7 include agency representatives from the community mental health centers, the
8 Division of Developmental Disabilities Services, the Division of Children and
9 Family Services, ~~and the Division of Alcohol and Drug Abuse Prevention~~
10 ~~Services; the Department of Health; and the Department of Education Special~~
11 ~~Education~~ local school districts or educational cooperatives.

12 (d) Additional representatives of other local services and programs
13 shall be added by the regional team and will include representatives from the
14 juvenile justice system or youth services providers and local preschool
15 programs, if possible.

16 (e) Each regional team member may appoint a single person to serve as
17 his or her proxy.

18 (f) The regional CASSP planning team shall:

19 (1) Advise and report to the CASSP Coordinating Council on
20 matters of policies, resources, programs, and services relating to children
21 with emotional disturbance and their families;

22 (2) Identify and recommend program initiatives and revisions
23 based on area and community-based needs;

24 (3) Submit a regional plan and ~~recommend a program~~ guidelines
25 for interagency service delivery teams to the CASSP Coordinating Council on
26 ~~or before February 15, 1992, and by February 15 of each even-numbered year~~
27 ~~thereafter~~ preceding the legislative session; ~~and~~

28 (4) Develop and implement special projects for community-based
29 services; and

30 (5)(A) Ensure that interagency service teams are established and
31 utilized in coordinating services for children and adolescents referred to
32 CASSP.

33 (B) Each service delivery team shall have sufficient and
34 appropriate representation from identified service providers and will
35 complete an interagency service plan for each child or adolescent receiving
36 CASSP services.

1 (C) Every effort shall be made to assist parents, parent
2 surrogates, family members, and consumers to participate as members of the
3 interagency service delivery team.

4
5 SECTION 6. Arkansas Code 20-47-507 is amended to read as follows:
6 20-47-507. Coordinating Council staff.

7 (a) The staff for the CASSP Coordinating Council shall be provided by
8 the CASSP project for the first two (2) years, and subsequently by the
9 Department of Human Services, Division of Mental Health Services.

10 (b) ~~Staff~~ The Division of Mental Health Services will serve as the
11 coordinating agency and shall develop and support the regional CASSP team
12 network, the CASSP Coordinating Council, and provide training and technical
13 assistance relevant to the system of care.

14 (c) Annual site reviews and program evaluations of regional CASSP
15 teams will be coordinated by the Division of Mental Health Services and will
16 involve a multi-agency team of professionals, family members, consumers, and
17 advocates.

18 (d) The Division of Mental Health Services' CASSP staff shall provide
19 an annual report summarizing CASSP regional and coordinating council
20 activities, strategic plans, and outcomes to the Directors of the Department
21 of Human Services, the Department of Education, and the Department of Health
22 each year on or before October 15 each year.

23
24 SECTION 7. Arkansas Code 20-47-508 is amended to read as follows:
25 20-47-508. Evaluation and treatment.

26 (a) Children suspected of having emotional disturbance who are
27 referred for CASSP services shall be given ~~an integrated~~ a screening and
28 assessment through the single point of entry, after which an initial
29 interagency service plan shall be defined and developed.

30 (b) The community mental health centers are hereby designated as the
31 single point of entry.

32 (c) The assessment shall be conducted by the community mental health
33 center serving the area in which the child or adolescent lives.

34 ~~(e)~~(d) The ~~unit~~ community mental health center shall be accessible on
35 a twenty-four hour basis, shall accept referrals from multiple sources, have
36 interagency linkages, involve parents, ensure immediate access to crisis

1 intervention services, and have authority to seek needed services.

2 ~~(d)(e)~~ Upon entry into the system of care, If, after screening and
 3 assessment or collaborative evaluations, it is determined that a child with
 4 emotional disturbance needs multi-agency services, then initial and
 5 subsequent individualized multi-agency service plans for ~~children with~~
 6 ~~emotional disturbance and their families~~ the child and the child's family
 7 shall be jointly developed by the appropriate local or regional
 8 representatives of the community mental health centers, representatives of
 9 the Department of Human Services county office, representatives of the
 10 Department of Health, representatives of the Department of Education, Special
 11 Education Division, representatives of the local school district and
 12 representatives of any other service provider identified to meet the needs of
 13 the child and his family. The individualized service plan shall reflect an
 14 integrated service delivery which specifies services or programs with funding
 15 to be provided by each agency. The service plan shall also designate
 16 responsibility for case management.

17
 18 SECTION 8. Arkansas Code 20-47-509 is repealed.

19 ~~20-47-509. Budget requests.~~

20 ~~(a) After July 1, 1991, all budget requests which affect children with~~
 21 ~~emotional disturbance submitted from the Department of Human Services, the~~
 22 ~~Department of Education, and the Department of Health shall include a written~~
 23 ~~statement by the CASSP Coordinating Council of whether the request is based~~
 24 ~~on a system of care which is child and family centered and community based.~~

25 ~~(b) Budget requests shall include provisions for:~~

26 ~~(1) The components of the system;~~

27 ~~(2) Flexible funds to meet extraordinary child and family needs;~~

28 and

29 ~~(3) Incentives for keeping children with their families and~~
 30 ~~developing community based services as close to home as appropriate.~~

31 ~~(c) In the event that a regional CASSP team does not produce a timely~~
 32 ~~regional plan that meets the guiding principles for the system of care,~~
 33 ~~recommendations about allocation of funds in that region shall be made by the~~
 34 ~~CASSP Coordinating Council.~~

35
 36 /s/ Goss

APPROVED: 4/12/2001